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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/954,663	09/12/2001	James D. Lyle	SII-300 [SIMG0077]	7574

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Alfred A. Equitz
GIRARD & EQUITZ LLP
Suite 1110
400 Montgomery Street
San Francisco, CA 94104

EXAMINER

NGUYEN, DUNG X

ART UNIT	PAPER NUMBER
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2638

DATE MAILED: 12/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/954,663	Applicant(s) LYLE ET AL.	
	Examiner Dung X. Nguyen	Art Unit 2638	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 3, 5 - 51, 53 - 81, 86 - 90, and 95 - 143 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 - 3, 5 - 30, 35 - 51, 53 - 81, 86 - 90, and 95 - 143 is/are allowed.
- 6) ☒ Claim(s) 31 and 32 is/are rejected.
- 7) ☒ Claim(s) 33 and 34 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments filed on August 02, 2005 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made. Claims 4, 52, 82 – 85, and 91 – 94 have been canceled.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claim 31 is rejected** under 35 U.S.C. 103(a) as being unpatentable over Myers (US patent # 6,914,597 B2), and further in view of Watanabe (US patent # 4,531,153).

Regarding claim 31, Myers discloses (figure 1):

- A transmitter (100);
- A receiver (140); and
- A TDMS communication link (110, 120, 130, 150, 116) between the transmitter and the receiver, wherein the TDMS transmitter is configured to transmit video data over the link to receiver (column 3, lines 11 – 19).

Myers differs from the instant claimed invention that it does not show that wherein the video data are transmitted as a stream of binary words that determine an analog auxiliary signal as well as the video data.

However, Watanabe discloses (figure 1) that wherein the video data are transmitted as a stream of binary data words that determine an auxiliary as well as the video data (abstract and column 5, line 59 to column 6, line 42).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Myers and Watanabe as providing the requirements of the instant claimed invention for transmitting the analog auxiliary signal by a stream of binary data words to avoid the noise.

4. **Claim 32 is rejected** under 35 U.S.C. 103(a) as being unpatentable over Myers (US patent # 6,914,597 B2), Watanabe (US patent # 4,531,153), and further in view of Alexander et al. (US patent 6,259,957 B1).

Regarding claim 32, as followed by the limitations analyzed in claim 31, Myers and Watanabe differ from the instant claimed invention that they do not show that wherein the analog auxiliary signal is an analog audio signal.

However, Alexander et al. discloses that wherein the analog auxiliary signal is an analog audio signal (column 3, lines 46 – 49).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Myers, Watanabe, and Alexander et al. as providing the requirements of the instant claimed invention for verifying the analog auxiliary signal.

Allowable Subject Matter

5. **Claims 33 and 34 are objected** to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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6. **Claims 1 – 3, 5 – 14, 15– 29, 35 – 81, 86 – 90, and 95 – 143 are allowed.** The following is a statement of reasons for the indication of allowable subject matter:

Regarding to the claimed invention, the prior art of record fails to show or render obvious of communication system including a transmitter, a receiver, and a TMDS-like link, in which video data and auxiliary data (typically including one or more streams of audio data and timing data associated with other auxiliary data) are transmitted from the transmitter to the receiver, or in which video data are transmitted over the link fro the transmitter to the receiver, and auxiliary data (including timing data associated with other auxiliary data) are transmitted bi-directionally, either sequentially or simultaneously.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung X. Nguyen whose telephone number is (571) 272-3010. The examiner can normally be reached on Monday through Friday from 8:00 AM to 17:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Vanderpuye, Kenneth N. can be reached on (571) 272-3078. The fax phone numbers for this group is (571) 273-3021.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

DXN

November 18, 2004


KENNETH VANDERPUYE
SUPERVISORY PATENT EXAMINER